



1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/795,830 Confirmation No. 2799
First Named Inventor : James E. Grimm
Filed : 03/08/2004
Title : Navigated Orthopaedic Guide and Method
TC/A.U. : 3731
Examiner : J. Kim

Atty. Docket No. : 0104-0060 (ZM0618)
Customer No. : 43231

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

8-16-2006

Date of Deposit

C. R. Keenan
Signature of person mailing paper or fee

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits.

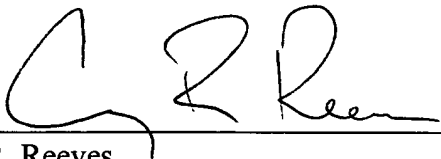
Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

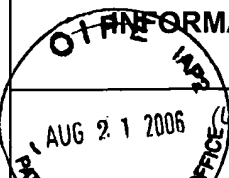
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Dated: August 16, 2006

By: 
Cary R. Reeves
Registration No. 35,334
P.O. Box 1268
Aledo, TX 76008
Telephone: 817-594-5994

| | | | | |
|--|--|--|----------------------------------|----------------|
| Substitute for FORM PTO-1449 | | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
|  INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) Sheet <u>1</u> of <u>7</u> | | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| | | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner NA |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | | | |
|---------------------|-----------------|------------|----------------------|--|--|--|
| | 4,211,228 | 7/8/1980 | Cloutier | | | |
| | 4,421,112 | 12/20/1983 | Mains , et al. | | | |
| | 4,457,307 | 7/3/1984 | Stillwell | | | |
| | 4,467,801 | 8/28/1984 | Whiteside | | | |
| | 4,487,203 | 12/11/1984 | Androphy | | | |
| | 4,493,317 | 1/15/1985 | Klaue | | | |
| | 4,501,266 | 2/26/1985 | McDaniel | | | |
| | 4,566,448 | 1/28/1986 | Rohr, Jr. | | | |
| | 4,567,886 | 2/4/1986 | Petersen | | | |
| | 4,653,488 | 3/31/1987 | Kenna | | | |
| | 4,736,737 | 4/12/1988 | Fargie et al. | | | |
| | 4,841,975 | 6/27/1989 | Woolson | | | |
| | 4,892,093 | 1/9/1990 | Zarnowski et al. | | | |
| | 4,907,577 | 3/13/1990 | Wu | | | |
| | 4,913,137 | 4/3/1990 | Azer , et al. | | | |
| | 4,952,213 | 8/28/1990 | Bowman et al. | | | |
| | 5,002,545 | 3/26/1991 | Whiteside et al. | | | |
| | 5,002,547 | 3/26/1991 | Poggie , et al. | | | |
| | 5,037,423 | 8/6/1991 | Kenna | | | |
| | 5,053,037 | 10/1/1991 | Lackey | | | |
| | 5,092,037 | 3/3/1992 | Pinkerton | | | |
| | 5,100,408 | 3/31/1992 | Lackey | | | |
| | 5,116,338 | 5/26/1992 | Poggie , et al. | | | |
| | 5,154,717 | 10/13/1992 | Matsen, III , et al. | | | |
| | 5,171,277 | 12/15/1992 | Roger | | | |
| | 5,234,433 | 8/10/1993 | Bert et al. | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

| | | | |
|---|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449 | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| (Use several sheets if necessary) Sheet <u>2</u> of <u>7</u> | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner N/A |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | | | |
|---------------------|-----------------|------------|--------------------|--|--|--|
| | 5,275,603 | 1/4/1994 | Ferrante et al. | | | |
| | 5,282,803 | 2/1/1994 | Lackey | | | |
| | 5,342,367 | 8/30/1994 | Ferrante et al. | | | |
| | 5,342,368 | 8/30/1994 | Petersen | | | |
| | 5,364,401 | 11/15/1994 | Ferrante , et al. | | | |
| | 5,364,402 | 11/15/1994 | Mumme et al. | | | |
| | 5,411,505 | 5/2/1995 | Mumme | | | |
| | 5,413,579 | 5/9/1995 | Tom Du Toit | | | |
| | 5,417,694 | 5/23/1995 | Marik , et al. | | | |
| | 5,431,653 | 7/11/1995 | Callaway | | | |
| | 5,431,656 | 7/11/1995 | Clift, Jr. et al. | | | |
| | 5,445,642 | 8/29/1995 | McNulty , et al. | | | |
| | 5,454,816 | 10/3/1995 | Ashby | | | |
| | 5,470,335 | 11/28/1995 | Du Toit | | | |
| | 5,486,178 | 1/23/1996 | Hodge | | | |
| | 5,514,139 | 5/7/1996 | Goldstein , et al. | | | |
| | 5,514,140 | 5/7/1996 | Lackey | | | |
| | 5,569,261 | 10/29/1996 | Marik , et al. | | | |
| | 5,584,838 | 12/17/1996 | Rona , et al. | | | |
| | 5,597,379 | 1/28/1997 | Haines , et al. | | | |
| | 5,611,802 | 3/18/1997 | Samuelson et al. | | | |
| | 5,628,750 | 5/13/1997 | Whitlock et al. | | | |
| | 5,634,929 | 6/3/1997 | Misko , et al. | | | |
| | 5,643,272 | 7/1/1997 | Haines et al. | | | |
| | 5,649,928 | 7/22/1997 | Grunde | | | |
| | 5,669,914 | 9/23/1997 | Eckhoff | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

| | | | |
|---|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449 | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| (Use several sheets if necessary) Sheet <u>3</u> of <u>7</u> | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner N/A |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | | | |
|---------------------|-----------------|------------|---------------------|--|--|--|
| | 5,676,668 | 10/14/1997 | McCue , et al. | | | |
| | 5,681,316 | 10/28/1997 | DeOrio , et al. | | | |
| | 5,683,397 | 11/4/1997 | Vendrely , et al. | | | |
| | 5,683,398 | 11/4/1997 | Carls , et al. | | | |
| | 5,720,752 | 2/24/1998 | Elliott , et al. | | | |
| | 5,743,916 | 4/28/1998 | Greenberg , et al. | | | |
| | 5,748,767 | 5/5/1998 | Raab | | | |
| | 5,788,700 | 8/4/1998 | Morawa et al. | | | |
| | 5,810,831 | 9/22/1998 | D'Antonio | | | |
| | 5,888,034 | 3/30/1999 | Greenberg | | | |
| | 5,891,158 | 4/6/1999 | Manwaring , et al. | | | |
| | 5,911,723 | 6/15/1999 | Ashby , et al. | | | |
| | 6,022,377 | 2/8/2000 | Nuelle , et al. | | | |
| | 6,056,756 | 5/2/2000 | Eng , et al. | | | |
| | 6,074,394 | 6/13/2000 | Krause | | | |
| | 6,077,270 | 6/20/2000 | Katz | | | |
| | 6,081,741 | 6/27/2000 | Hollis | | | |
| | 6,090,114 | 7/18/2000 | Matsuno et al. | | | |
| | 6,096,043 | 8/1/2000 | Techiera et al. | | | |
| | 6,096,082 | 8/1/2000 | Stegmuller , et al. | | | |
| | 6,106,529 | 8/22/2000 | Techiera | | | |
| | 6,162,228 | 12/19/2000 | Durham | | | |
| | 6,234,429 | 5/22/2001 | Yang | | | |
| | 6,267,762 | 7/31/2001 | Millard et al. | | | |
| | 6,267,770 | 7/31/2001 | Truwit | | | |
| | 6,342,056 | 1/29/2002 | Mac-Thiong | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

| | | | |
|---|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449 | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| (Use several sheets if necessary) Sheet <u>4</u> of <u>7</u> | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner N/A |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | | | |
|---------------------|-----------------|------------|---------------------|--|--|--|
| | 6,458,135 | 10/1/2002 | Harwin , et al. | | | |
| | 6,503,249 | 1/7/2003 | Krause | | | |
| | 6,533,790 | 3/18/2003 | Liu | | | |
| | 6,551,325 | 4/22/2003 | Neubauer et al. | | | |
| | 6,554,837 | 4/29/2003 | Hauri et al. | | | |
| | 6,575,980 | 6/10/2003 | Robie , et al. | | | |
| | 6,595,997 | 7/22/2003 | Axelson, Jr. et al. | | | |
| | 6,638,281 | 10/28/2003 | Gorek | | | |
| | 6,648,896 | 11/18/2003 | Overes , et al. | | | |
| | 6,685,711 | 2/3/2004 | Axelson, Jr. et al. | | | |
| | 6,695,848 | 2/24/2004 | Haines | | | |
| | 6,712,824 | 3/30/2004 | Millard et al. | | | |
| | 6,740,092 | 5/25/2004 | Lombardo , et al. | | | |
| | 6,758,850 | 7/6/2004 | Smith , et al. | | | |
| | 6,796,986 | 9/28/2004 | Duffner | | | |
| | 6,859,661 | 2/22/2005 | Tuke | | | |
| | 6,920,347 | 7/19/2005 | Simon , et al. | | | |
| | 6,932,823 | 8/23/2005 | Grimm et al. | | | |
| | 6,942,700 | 9/13/2005 | Williamson | | | |
| | 6,962,593 | 11/8/2005 | Sanford , et al. | | | |
| | 2002/0133160 | 9/19/2002 | Axelson, Jr. et al. | | | |
| | 2002/0133162 | 9/19/2002 | Axelson, Jr. et al. | | | |
| | 2002/0151894 | 10/17/2002 | Melkent | | | |
| | 2002/0165552 | 11/7/2002 | Duffner | | | |
| | 2003/0069585 | 4/10/2003 | Axelson, Jr. et al. | | | |
| | 2003/0069591 | 4/10/2003 | Carson et al. | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

| | | | |
|---|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449 | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| (Use several sheets if necessary) Sheet <u>5</u> of <u>7</u> | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner N/A |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | | | |
|---------------------|-----------------|------------|----------------------|--|--|--|
| | 2003/0083667 | 5/1/2003 | Ralph | | | |
| | 2003/0171757 | 9/11/2003 | Coon et al. | | | |
| | 2003/0181919 | 9/25/2003 | Gorek | | | |
| | 2003/0187351 | 10/2/2003 | Franck | | | |
| | 2003/0212403 | 11/13/2003 | Swanson | | | |
| | 2004/0039396 | 2/26/2004 | Couture et al. | | | |
| | 2004/0073228 | 4/15/2004 | Kienzle | | | |
| | 2004/0122305 | 6/24/2004 | Grimm | | | |
| | 2004/0153066 | 8/5/2004 | Coon et al. | | | |
| | 2004/0153083 | 8/5/2004 | Nemec et al. | | | |
| | 2004/0172044 | 9/2/2004 | Grimm | | | |
| | 2005/0021039 | 1/27/2005 | Cusick et al. | | | |
| | 2005/0049603 | 3/3/2005 | Calton et al. | | | |
| | 2005/0055028 | 3/10/2005 | Haines | | | |
| | 2005/0070910 | 3/31/2005 | Keene | | | |
| | 2005/0149039 | 7/7/2005 | Haines et al. | | | |
| | 2005/0149040 | 7/7/2005 | Haines | | | |
| | 2005/0149041 | 7/7/2005 | McGinley et al. | | | |
| | 2005/0171545 | 8/4/2005 | Walsh et al. | | | |
| | 2005/0182415 | 8/18/2005 | Steffensmeier et al. | | | |
| | 2005/0187557 | 8/25/2005 | Collazo | | | |
| | 2005/0203528 | 9/15/2005 | Couture et al. | | | |
| | 2005/0209598 | 9/22/2005 | Grimm | | | |
| | 2005/0234454 | 10/20/2005 | Chin | | | |
| | 2005/0234465 | 10/20/2005 | McCombs | | | |
| | 2005/0234466 | 10/20/2005 | Stallings | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

[illegible]**DATE CONSIDERED**

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

| | | | |
|---|--|----------------------------------|-----------------|
| Substitute for FORM PTO-1449 | Attorney Docket Number 0104-0060 (ZM0618) | Customer No. 43,231 | |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | First Named Inventor James E. Grimm | Application Number 10/795,830 | |
| (Use several sheets if necessary) Sheet <u>7</u> of <u>7</u> | Filing Date 03/08/2004 | Group Art Unit N/A | Examiner N/A |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | PUB. DATE | NAME OF APPLICANT | | | |
|--|-----------------|-----------|----------------------|--|--|--|
| | EP 0384562 | 7/17/1996 | Wright Med.Tech | | | |
| | EP 0538152 | 8/2/1995 | Jean Collomb | | | |
| | EP 0556998 | 6/18/1997 | Wright Med.Tech | | | |
| | EP 0720834 | 6/2/1999 | Bristol-Myers Squibb | | | |
| | EP 0778751 | 5/25/2005 | Hudson Surgical | | | |
| | EP 0839501 | 7/8/1998 | Osteonics Corp. | | | |
| | EP 1323386 | 7/2/2003 | Smith & Nephew | | | |
| | EP 1424042 | 2/6/2004 | Zimmer Technology | | | |
| | EP 1430842 | 6/23/2004 | Zimmer Technology | | | |
| | EP 1442712 | 8/4/2004 | Howmedica Osteonics | | | |
| | EP 1574177 | 9/14/2005 | Zimmer Technology | | | |
| | EP 1579812 | 9/28/2005 | Zimmer GmbH | | | |
| | JP 11244315 | 9/14/1999 | Kyocera Corp. | | | |
| | WO 96/07361 | 3/14/1996 | Hudson Surgical | | | |
| | WO 9629940 | 10/3/1996 | Smith & Nephew | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|--|---|
| | NEXGEN COMPLETE KNEE SOLUTION, The Zimmer Institute Surgical Technique MIS Quad-Sparing Surgical Technique for Total Knee Arthroplasty, 2004. |
| | |
| | |
| | |
| | |
| | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.